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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,608	11/13/2000	Charles F. Berry	END920000120US1	7922

7590

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EXAMINER

JAKETIC, BRYAN J

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 04/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/711,608

Applicant(s)

BERRY ET AL.

Examin r

Bryan Jaketic

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garrett et al. Garrett et al disclose a system and method of data entry comprising the steps of entering data by a first entity into a first database (200); entering a subset of the data by a second entity into a database (400; see col. 3, lines 15-25); matching said subset of data and highlighting any unmatched entries (col. 3, lines 26-59); setting a status indicator to audit failed and specifying a reason (col. 3, lines 55-59). The data entered by the first and second entities is entered into a plurality of fields (col. 3, lines 35-41), including a document number (220). When the first entity enters the data, a

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status indicator is set to entered, and displays an increase in the number of entered records (see Fig. 5). The second entity provides identification (see field 17 of Figure 4).

Garrett et al do not disclose the use of an invoice. However, it is common in the art to record data on invoices, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ an invoice to hold data that is to be entered into the database of Garrett et al, to ensure that the data is entered quickly and efficiently.

Garrett et al do not teach that persons enter the data. However, manual data entry is common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a person to enter the data in the system of Garrett et al, because it is less expensive than implementing an automated data entry system.

Garrett et al do not teach that the first and second entities enter data into a single database. However, it is common in the art to employ a single database for holding data, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a single database with the invention of Garrett et al, because it is less expensive to maintain a single database.

Garrett et al do not teach the step of posting entered data into a second database if the status indicator is audit passed. However, Garrett et al do teach a step of posting entered data into a second database if the status indicator is audit failed (col. 3, lines 51-59). It would have been obvious to one of ordinary skill in the art at the time

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the invention was made to employ an additional database for data that is audit passed for organizational purposes, so that such data can be easily retrieved.

Garrett et al do not disclose a specify reason push button. However, push buttons are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a push button with the invention of Garrett et al to allow a user to make notations as to the reason the audit failed.

Response to Arguments

4. Applicant's arguments have been considered but are not persuasive. Applicant argues that Garrett et al do not disclose an invoice. Examiner concedes that Garrett et al do not disclose the use of an invoice. However, Examiner maintains that invoices are common in the art. Furthermore, it is common in the art for car owners to provide an invoice when registering a car with a state, and to provide the same invoice when purchasing insurance. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enter data into a database twice from an invoice because an invoice is a convenient means for recording data. Applicant further argues that Garrett et al do not teach a technique for insuring accuracy of the information entered into the database. However, this purpose is not mentioned in the claims, and Examiner maintains that all of the limitations of the claims are disclosed or are obvious in view of Garrett et al.

Applicant further argues that Garrett et al do not disclose the step of entering data by a first person into a first database and by a second person into the same

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database. Garrett instead teaches entry into two separate databases. Examiner maintains that it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ two separate persons to enter the data, because the data is controlled by two separate entities. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a single, central database, so that all information could be consolidated in one place.

Applicant argues that the use of a single database would nullify the need for the system of Garrett et al. Examiner respectfully disagrees. The system of Garrett et al compares information from two separate databases. The system could easily perform this function on a single, central database. Furthermore, if the single database contained information on registered cars, and information on insured cars, there would still be a need to match the two entries together to indicate that the car was both registered and insured.

Applicant also argues that Garrett et al do not teach the step of reentering unmatched entries, or setting the status indicator to cancel. Examiner concedes that Garrett et al do not teach these steps. However, Applicant claims this step in the alternative. The third alternative—the step of posting entered data to a second database if the audit is passed— would have been obvious to one of ordinary skill in the art at the time the invention was made in view of Garrett et al. Garrett et al teach the step of posting data to a different database if the audit fails. Likewise, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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employ another database to store data that has been matched, so that an interested party could quickly determine if a car has been both registered and insured.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Rice can be reached on (703) 308-3495. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

bj
April 1, 2003


Kenneth R. Rice
Primary Examiner